

If any of the Persons nominated to be Counters as aforesaid, shall afterwards become disabled, before he hath performed the Duty hereby required of him, such Person (if not prevented by Sicknels,) shall give Notice of such Dilability, to one of the Church-wardens of his Parish, within Two Days after the same shall happen: Or, in case such Person becoming incapable as aforesaid, shall be prevented by Sicknels, from giving such Notice; that then, and in all such Cases, the next Neighbour of such Person shall be and is hereby required, to give Notice thereof to such Church-warden. And if in such Case, the Vestry of such Parish shall fail to meet, and appoint Others in the room of those so refusing, neglecting, or disabled, according to the Directions herein before mentioned; every Vestry-man (the Minister excepted) who shall then fail to meet, or refuse to do his Duty at such Meeting, so as no Vestry can be held, shall forfeit and pay the Sum of Thirty Pounds Current Money.

*PROVIDED NEVERTHELESS*, That if any of the Persons appointed to put this Act in Execution, be hindered by Sicknels, or other extraordinary Accident, which he could not prevent, and make the same appear to the County-Court, that he shall not be liable to any of the Penalties contained in this Act.

*PROVIDED ALSO*, That no Person whatever, shall be exempted from being a Counter, who is fit and able to execute the Duty by this Act required to be executed by a Counter; except Councillors, Assembly-Men, Clergymen, Magistrates, Sheriffs, Practising Attorneys, Physicians, Clerks, School-Masters, Constables, and Overseers of the High Way.

*AND PROVIDED ALSO*, That no Person shall be liable to any Penalty, or Forfeiture, for not taking the Oaths to the Government.

*AND* for the Encouragement of the Persons nominated and appointed as aforesaid, for examining and numbering the Plants of Tobacco, and for cutting down and destroying Slips and Suckers, in Pursuance of this Act,

*BE IT ENACTED*, by the Authority aforesaid, That there shall be levied on the Taxable Persons, in each County, (during the Continuance of this Act,) Five Pounds of Tobacco for every Six Thousand Plants; and proportionably for a less or greater Quantity, which shall be tended and left standing within the said County, to be distributed to the respective Persons, appointed by this Act to view and number the Plants of Tobacco, in Proportion to the Number of Plants viewed and numbered by them in their respective Precincts; which said Five Pounds of Tobacco, the Court of each County within this Province, is hereby impowered and required to assess on the Taxable Inhabitants; and the Sheriff of the County to levy and pay the same to the several Persons to whom the same shall be due, in the Parish wherein they respectively reside, unless such Person shall be content to take the same in some other Parish within the County. And for every Hundred of Tobacco-Stalks which shall have any Suckers or Slips growing thereon, Nine Inches long, which such Person or Persons shall so cut up and destroy, there shall be paid to him or them, by the Owner of such Tobacco-Stalks, or his, or her Overseer, Twenty Pounds of Tobacco; and so proportionably, for a lesser Quantity; to be recovered, with Costs, before any Justice of the

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Peace